IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 13772 of 2004

Between:

D. Chandrasekharao S/o. Narayana Rao
R/o. 49-1-147, Near Power House, Gunadala, Vijayawada, Krishna District.

..... PETITIONER

AND

The Secretary, Regional Transport Authority, Vijayawada,

Krishna District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order direction more particularly one in the nature of writ of mandamus, declaring the action of the respondent in not permitting to ply vehicle of the petitioner bearing Registration No. AP 16 U 3069 with National Permit for a period of 3 months as illegal, arbitrary and unconstitutional and consequently direct the respondent to permit him to ply vehicle to ply for a period of 3 months for replacing the new vehicle in the interest of justice.

Counsel for the Petitioner: MR.B.CHANDRA SHEKHAR

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER:

Heard.

In this Writ Petition, by way of Writ of Mandamus, the petitioner is seeking to assail the action of the respondent in not permitting to ply his vehicle bearing No.AP 16 U 3069 with the National Permit, for a period of three months.

The question involved in this Writ Petition is squarely covered by the Judgment of this Court in the similar circumstances, in a case A.Rafeek Vs. Union of India[1]. Further, this court also issued similar direction in W.P.No.10166 of 2004 dated 19.07.2004.

Following the same, this Writ Petition is allowed, granting three moths time from today to replace the vehicle in question. Till then, the petitioner is permitted to ply the present vehicle, if it is in condition. No costs.

_____

27th AUGUST 2004

NOTE: Furnish C.C. by three days.

B.O.

BSS

ASSISTASNT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Secretary, Regional Transport Authority, Vijayawada,

Krishna District.

2.2CCs to G.P. for Transport, High Court Buildings, Hyderabad (OUT)

2.2CD copies

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